

House Engrossed

FILED

**JANICE K. BREWER
SECRETARY OF STATE**

State of Arizona
House of Representatives
Forty-sixth Legislature
Second Regular Session
2004

CHAPTER 121

HOUSE BILL 2256

AN ACT

PROVIDING FOR A PILOT PROGRAM TO ALLOW CERTIFIED NURSING ASSISTANTS TO
ADMINISTER MEDICATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Pilot study medication technicians; pilot program

3 A. The state board of nursing may establish a pilot program to
4 determine the impact to patient health and safety of allowing nursing
5 assistants certified pursuant to title 32, chapter 15 and acting as pilot
6 study medication technicians to administer medications under educational
7 requirements and conditions prescribed by the board.

8 B. The board may conduct the pilot program in not more than six
9 skilled nursing facilities. Acute and sub-acute patients shall be excluded
10 from this study.

11 C. Except as provided in this subsection, nursing facilities
12 participating in the pilot program shall not replace existing registered
13 nurse and licensed practical nurse positions with certified nursing
14 assistants or pilot study medication technicians. The department of health
15 services and board may authorize, as part of the pilot program, adjustments
16 to nursing staff mix as necessary to conduct an evidence based study to
17 determine the impact of varying staffing models upon patient health and
18 safety. Facilities participating in the pilot program shall not violate
19 state or federal laws relative to the adequacy of nursing coverage.

20 D. The pilot program must include delegation and supervision protocols
21 regarding which medications the pilot study medication technicians may and
22 shall not administer and under what conditions. The protocols shall prohibit
23 medication technicians from administering any medication or fluid by
24 needle. The protocols must give registered nurses and licensed practical
25 nurses the authority to refuse to delegate the administration of medication
26 to pilot study medication technicians if a nurse believes that patient health
27 and safety is at risk.

28 E. The board may adopt policies prescribing the education and training
29 requirements for certified nursing assistants participating in the pilot
30 program as pilot study medication technicians.

31 F. The board is authorized to charge the participating facilities and
32 pilot study medication technicians an assessment to implement the provisions
33 of this section.

34 G. The board must complete the pilot program on or before December 1,
35 2008.

36 H. For the purposes of this act, the state board of nursing is exempt
37 from rulemaking with regard to adopting policies to assist in the
38 implementation of this act. The board shall hold public hearings to review,
39 discuss and adopt the proposed policies.

1 I. The board shall submit a written report on or before December 1,
2 2008 to the governor, the president of the senate and the speaker of the
3 house of representatives regarding the results of the pilot program and
4 recommendations for any administrative or legislative action. The board
5 shall provide a copy of the report to the secretary of state and the director
6 of the Arizona state library, archives and public records.

7 Sec. 2. Delayed repeal

8 This act is repealed from and after September 30, 2009.

APPROVED BY THE GOVERNOR APRIL 19, 2004.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 19, 2004.